

offered or provided by any particular TSP is expressly preempted, then these Regulations shall be interpreted in a manner which recognizes all such preemptions so long as such preemption remains in effect.

B. All provisions of Order No. U-17949-N, dated October 18, 1991, are unaffected by these Regulations and shall remain in effect unless contrary to or inconsistent with the goals and/or provision(s) of these Regulations, in which case the provision(s) of these Regulations shall preempt and supersede all affected provisions of Order No. U-17949-N. However, the Commission hereby rescinds Ordering Paragraph Nos. "10", "11" and "12" of Order No. U-17949-N.

C. Severability. If a court of competent jurisdiction finds any provision of these Regulations to be invalid or unenforceable as to any TSP or circumstance, such finding shall not render that provision invalid or unenforceable as to any other TSPs or circumstances. If feasible, any such offending provision shall be deemed to be modified to be within the limits of enforceability or validity; however, if the offending provision cannot be so modified, it shall be stricken and all other provisions of these Regulations in all other respects shall remain valid and enforceable. In addition, in the event any provision of these Regulations is stayed in connection with a judicial review of these Regulations, the remaining provisions of these Regulations shall remain valid and enforceable.

APPENDIX A

LOUISIANA BASIC SERVICES

Local Basic Service, including calling options.

Basic Local Service
Subscriber Line Charges
Statewide Rate Schedules (flat, measured and message)
Monthly Exchange Rates
Local Measured/Message Rated Service
Expanded Local Calling Area Service
Link-Up Service
Joint User Service (5 or less subscribers)
Local Option Calling Plans (LOS and LOSB)
Local Saver Service
Local Tele Thrift
Party Line Service
Local Exceptions
Public Telephone Service
Semi-Public Access Line

Local Ordering, Installation, and Restoral

Basic Service Connection
Trouble Determination Charges
Dual Service
Link Up

Other Services

Directory Listing
TouchTone
Customized Code Restriction
Blocking Service and Emergency Network Services
Directory Assistance (within local service area)
Local Operator Verification/Interrupt

APPENDIX B

LOUISIANA INTERCONNECTION SERVICES

Interconnection Services

Basic Serving Arrangement
Carrier Common Line Access
Clear Channel Capability
Common Channel Signaling Access Capability
Common Switching Optional Features
Dedicated Network Access Line (DNAL)
Direct Inward Dialing (DID) or DID/Direct with LSBA
DID/Direct Outward Dialing (DOD) Access with LSBSA
DID or DID/DOD with BSA
800 Access Service
Line Side Basic Serving Arrangement (LSBSA)
Local Switching
Local Transport
Network Blocking Charge for Feature Group D
Network Access Register Package
Trunk Side Access Facility
Trunk Side BSA
900 Access Service
Analog Services
Dedicated Access Lines for TSPs
Custom Network Service
Digital Data Service
High Capacity Service
Metallic Service
Voice Grade Analog Service
Customer Owned Coin Operator Telephone (COCOT) Services Access Line
Interconnection for Mobile Service Providers (includes cellular mobile)

LOUISIANA PUBLIC SERVICE COMMISSION

GENERAL ORDER

In re: Amendments to General Order dated March 15, 1996, *In re: Regulations for Competition in the Local Telecommunications Market*.

(Decided at the October 16, 1996, Business and Executive Session)

At the Commission's March 5, 1996, Business and Executive Session, the Commission voted to adopt the *Regulations for Competition in the Local Telecommunications Market*¹ ("*Regulations*"). The adoption of these regulations was implemented by Louisiana Public Service Commission General Order dated March 15, 1996.

Subsequent to the adoption of the *Regulations*, Staff proposed three sets of amendments. After notice to the parties, the staff presented the following proposed amendments to the *Regulations* to the Commission at the Commission's October 16, 1996, Business and Executive Session:

[Note: Redlined words/sentences/paragraphs are proposed additional language, whereas language which appears with strikeouts, indicates proposed deletions to the current language.]

SECTION 101. Definitions

38. Subscriber List Information - any information (a) identifying the listed names of subscribers of a TSP and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the establishment of such service), or any combination of such listed names, numbers, addresses, or classifications, and (b) that the TSP or an affiliate has published, caused to be published, or accepted for publication in any directory format.

Adoption of the above amendment will require the numbering for current definitions 38-39, to be amended to reflect the numbering 39-40

41. Telecommunications Directory Publisher (TDP) - any person or entity, including affiliates of an ILEC, engaged in the business of publishing subscriber list information, in any format.

Adoption of the above amendment will require the numbering for current definitions 40-46, to be amended to reflect the numbering sequence, 42-48.

SECTION 301. Certification of Telecommunications Services Providers

E. Each applicant hereunder shall submit to the Secretary of the Commission an original and five (5) copies of its application along with an application fee of \$250.00 to cover the administrative costs of processing the application. The applicant shall also supply each Commissioner with a copy of its application simultaneously therewith. Upon request by the Secretary, and when reasonably feasible, an applicant shall also submit in addition to the original and five copies, a copy of its application on computer disk in a format specified by the Secretary. All applications shall include the following:

SECTION 401. Tariffs

¹ The Commission voted to adopt the *Substitute Proposed Regulations for Competition in the Local Telecommunications Market* which pursuant to the General Order was redesignated as the *Regulations for Competition in the Local Telecommunications Market*.

C.2. Format

- g. On each page shall appear the Effective Date in the upper right-hand corner of the page. The Effective Date will be the date indicated on the provider's transmittal letter to the Commission for the tariff to go into effect.

Adoption of this additional provision will require current paragraphs g and h, to be amended to become paragraphs h and i.

C. 3. Information to Accompany All Tariff Filings

- a. The original and one copy of a letter of transmittal to the Commission shall accompany each tariff filing, which lists the sheets (by section, page number, and revision level) being transmitted and gives a brief description of all changes included therein and the reasons for the change(s). The letter must also include a paragraph stating I) the service or product affected, (ii) the type of customer affected, (iii) the impact on the customer of the proposed change, and (iv) whether the affected service or product is competitive or non-competitive. In addition, if the tariff filing affects an optional service the letter must specify the existing price or rate for the service and any proposed change to the price or rate. The Commission reserves the right to request additional data, including cost of service data.

SECTION 901. Interconnection

"D. Consistent with Section 252(a)(1) of the Telecommunications Act of 1996, upon receiving a request for interconnection, services, network elements, or reciprocal compensation pursuant to Section 251 of the Telecommunications Act, an ILEC may negotiate and enter into a binding agreement with the requesting TSP without regard to the costing standards set forth in subsection C of this Section. However, negotiated compensation arrangements for the exchange of local traffic shall provide for equal treatment and rates between competing TSPs. Rates of negotiated compensation arrangements shall be mutual, reciprocal, nondiscriminatory and cost-based, and shall be effective between the negotiating parties. Nothing in this section shall be interpreted as advocating or precluding the adoption of an in-kind rate or the adoption of an explicit rate as the negotiated compensation mechanism for the exchange of local traffic.

~~—— D. Exchange of local traffic between competing carriers shall be reciprocal and compensation arrangements for such exchange shall be mutual. That is, TSPs shall pay the same rate to each other for the termination of calls on the other's network. This rate will equal the intrastate switched access service rate - less the residual interconnection charge and the carrier common line charge - on a per minute basis.~~

E. The Commission shall be notified in writing by the negotiating parties of the date the request for interconnection was submitted by the requesting TSP. The interconnection agreement shall include a detailed schedule of itemized charges for interconnection and each service or network component (element) included in the agreement. All agreements shall be submitted to the Commission for approval. Any party negotiating an agreement hereunder may, at any point in the negotiations, request the Commission to participate in the negotiation and to mediate any differences arising in the course of negotiation.

~~—— E. No ILEC or CLEC shall pay any other ILEC or CLEC for more than 110% of the minutes of use of the provider with the lower minutes of use in the same month. For example, if TSP number one has 10,000 minutes of local traffic terminated on TSP number two's network, and TSP number two has 15,000 minutes of local traffic terminated on TSP number one's network, TSP number two will compensate TSP number one on the basis of 11,000 minutes (10,000 minutes x 110%). Such an arrangement avoids significant payment differences due to a traffic imbalance.~~

F. In accordance with Section 252(b) of the Telecommunications Act of 1996, either party to the negotiation may petition the Commission to arbitrate any open issue to the negotiation. When an ILEC and TSP are unable, through negotiations, to agree to rates for the interconnection of facilities and equipment, network elements and/or reciprocal compensation, any party to such negotiations may request the Commission to impose rates and conditions binding upon the parties to the agreement which comply with the results of the studies performed pursuant to subsection C.2 of this Section, and which are consistent with the mandates of Section 252(d) of the Telecommunications Act of 1996.

Adoption of this additional provision will require current sections F through N, to be amended to become sections G through O.

SECTION 1001. Unbundling

D. TSPs shall be able to interconnect with all unbundled basic network components at any technically feasible point within an ILEC's network. Access, use and interconnection of all basic network components shall be on rates, terms and conditions identical to those an ILEC provides to itself and its affiliates for the provision of exchange, exchange access, intraLATA toll and other ILEC services.

J. ILECs and CLECs providing local telecommunications services shall provide subscriber list information gathered in their capacities as local telecommunications services providers on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions, to any person or entity (including TSPs and TDPs) for the purpose of publishing directories in any format.

K. ILECs and CLECs providing local telecommunications services shall provide the names and addresses of non-published or non-listed subscribers gathered in their capacities as local telecommunications services providers on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions, to any person or entity (including TSPs and TDPs) for the purpose of directory delivery.

Adoption of these two new provisions will require current paragraphs J and K, to be amended to become paragraphs L and M.

SECTION 1101. Resale

A. To encourage and promote competition in the local telecommunications markets, all facilities based TSPs shall make unbundled retail features, functions, capabilities and services, and bundled retail services available for resale to other TSPs on a nondiscriminatory basis.

D. During the transition to a competitive local telecommunications market, ILEC unbundled retail features, functions, capabilities and services, and bundled retail services, including vertical features, shall be tariffed and provided to other TSPs at reasonable wholesale rates based on cost information. The cost information shall be derived from the cost studies mandated in Section 901 C.2 above. These studies shall be provided to the Commission in accordance with the provisions of Section 901 C.2. Avoided costs studies This information will be used by the Commission to determine costs avoided by an ILEC when an ILEC's unbundled retail features, functions, capabilities and services, and bundled retail services, including vertical features, are resold by another TSP, and to establish a wholesale discount percentage. An the ILEC's tariffed wholesale resale rates will be determined by discounting the ILEC's retail rates by the wholesale discount percentage. There is no mandate that resold services be provided by an the ILEC to TSPs at the ILEC's its-TSLRIC or LRIC of providing such services.

SECTION 1201. Consumer Protection.

B. The following additional consumer protection rules shall apply to all TSPs providing local telecommunications services.

1. Any solicitation by or on behalf of a TSP to a customer to terminate his/her service with another provider and switch his/her service to a new TSP shall include current rate information of the new provider and all other information regarding the service(s) to be provided including, but not limited to the terms and conditions under which the new provider will provide the service(s). Upon request of a customer, a TSP shall provide the customer information pertaining to the technical specifications of the service(s) it is offering to the customer. ~~difference between services provided by the customer's former TSP and the new TSP~~ All information provided shall be legible and printed in a minimum point size of type of at least 10 points. Failure to provide this information to the customer shall result in a fine of \$500 for each violation in addition to any other fine and/or penalties assessed.

2. In order to switch a customer from one TSP to another TSP, the new provider must obtain a signed and dated statement from the customer prior to the switch indicating that he/she is the subscriber of the telephone service for a particular telephone account and number, that he/she has the authority to authorize the switch of service to the new provider and that he/she does authorize the switch. This signed statement must be a separate or severable document whose sole purpose is to authorize the switch of the customer's TSP. The signed statement cannot be contained on the same document as promotional material, a registration to enter a contest or a form to contribute money to a charity.

Among other fines and/or penalties, the TSP making an unauthorized switch shall be subject to a fine not exceeding ten thousand dollars (\$10,000) per unauthorized switch, required to pay the costs of switching that customer back to the customer's previous provider and required to refund to the customer amounts paid to the provider during the unauthorized service period and extinguish any other amounts due by the consumer and not billed and/or paid. Additionally, the TSP shall be liable to the customer's previously selected provider in the amount equal to all charges paid by the customer to the unauthorized TSP after the unauthorized switch. All TSPs are responsible for the actions of their agents that solicit switches in an unauthorized manner and/or result in unauthorized switches.

10. Unless fraud is suspected, No TSP can unilaterally and arbitrarily limit the amount of charges a customer can incur on his/her account regardless of whether the charges are for local, long distance or other toll charges unless the customer has a billed, outstanding balance due. If charges have been limited due to suspected fraud, the customer shall be informed in writing within two business days of the limits placed on the account and the reason for the limitations. Credit limits may be established when service is initiated, before charges are incurred or at any time upon an agreement between the TSP and customer.

11. No TSP may release nonpublic customer information regarding a customer's account or calling record unless required to do so by subpoena or court order.

12. Unless fraud is suspected, No TSP may unilaterally place a block on its customer's telephone service when a particular amount of charges have been incurred and the customer has not been presented the opportunity and a reasonable amount of time to pay or make other payment arrangements to pay the charges. If a block has been placed on a customer's telephone service due to suspected fraud, the customer shall be informed in writing within two business days of the block placed on his/her telephone and the reason for the block. For inmate pay phone systems, a customer's telephone may be blocked from the receipt of calls from an inmate facility only if the TSP has a blocking policy submitted in a tariff format approved by the Commission.

After presentation and discussion by Staff of each of the proposed amendments, the Commission on the motion of Commissioner Owen, seconded by Commissioner Brupbacher, unanimously voted to adopt all of the Staff proposed amendments.

IT IS THEREFORE ORDERED THAT:

1. The Staff Proposed *Amendments to the Regulations for Competition in the Local Telecommunications Market* previously adopted by the Commission pursuant to its General Order dated March 15, 1996, are hereby adopted.
2. All provisions of the *Amendments to Regulations for Competition in the Local Telecommunications Market* are hereby ordered by the Commission.
3. All entities subject to the provisions of this Order and the *Amendments to the Regulations for Competition in the Local Telecommunications Market* shall take all actions required by this Order and the *Amendments to the Regulations for Competition in the Local Telecommunications Market*.
4. The *Regulations for Competition in the Local Telecommunications Market* previously adopted by the Commission pursuant to its General Order dated March 15, 1996, shall be republished incorporating the *Amendments* adopted herein and in substantially the same format as provided in Attachment A to this General Order.
5. This order shall be effective immediately.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
November 25, 1996

/S/ JOHN F. SCHWEGMANN
JOHN F. SCHWEGMANN, CHAIRMAN
DISTRICT I

/S/ IRMA MUSE DIXON
IRMA MUSE DIXON, VICE-CHAIRMAN
DISTRICT III

/S/ G. DALE SITTIG
C. DALE SITTIG, COMMISSIONER
DISTRICT IV

/S/ DON OWEN
DON OWEN, COMMISSIONER
DISTRICT V

/S/ ROSS BRUPBACHER
ROSS BRUPBACHER, COMMISSIONER
DISTRICT II


SECRETARY

PUBLIC VERSION

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Application of Ameritech Michigan
Pursuant to Section 271 of the
Telecommunications Act of 1996 to
Provide In-Region, InterLATA
Services in Michigan

CC Docket No. _____

AFFIDAVIT OF GREGORY J. DUNNY
ON BEHALF OF AMERITECH MICHIGAN

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Gregory J. Dunny, being first duly sworn upon oath, do hereby depose and state as follows:

1. My name is Gregory J. Dunny. My business address is 350 North Orleans, Chicago, Illinois 60654. I am the Vice President of Marketing and Sales for the Network Providers Segment of Ameritech Information Industry Services ("AIIS"), a division of Ameritech Services, Inc. In this position, I direct the marketing and sales efforts for the wholesale product line (which includes interconnection, unbundling, resale, etc.) to serve new competitive local exchange carriers ("CLECs") that operate in the Ameritech region.

VIII. CHECKLIST ITEM (viii): WHITE PAGES LISTINGS

105. Section 271(c)(2)(B)(viii) requires BOCs to provide "White Pages directory listings for customers of the other carrier's telephone exchange service." Ameritech satisfies this requirement by ensuring that its directory publishing affiliate "will publish the Primary Listing of [Requesting Carrier] Customers located within the geographic scope of

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Publisher's directories at no charge." AT&T § 15.1.1; see Brooks Fiber § 18.0. These listings will be interfiled with listings of Ameritech customers, and Ameritech will provide a copy of the requesting carrier's customer listings in a mutually agreed-upon form and format to the requesting carrier prior to publication. In addition to providing listings, Ameritech has agreed to provide initial and secondary delivery of White Pages directories to customers of resellers on the same basis as its own customers. AT&T § 15.2.5. Ameritech will also license its White Pages listings on a current basis to competing carriers for use in publishing directories. Finally, Ameritech provides access to its directory listings in readily accessible magnetic tape or electronic format as required by 47 C.F.R. § 51.217(c)(3)(ii). AT&T Sch. 9.5(8.10, 8.11).

106. Ameritech is currently furnishing White Pages listings to Brooks Fiber, MCI Metro, TCG, MFS and several other carriers.

IX. CHECKLIST ITEM (ix): NUMBERING ADMINISTRATION

107. Checklist Item (ix) requires that Ameritech provide, "[u]ntil the date by which telecommunications numbering administration guidelines, plans, or rules are established, nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers." 47 U.S.C. § 271(c)(2)(B)(ix). The Rules (§ 51.217(e)(i)), in turn, require that a LEC permit competing providers to have access to

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C 20554**

In the matter of)
)
Application of Ameritech)
Michigan Pursuant to Section) CC Docket No. _____
271 of the Telecommunications)
Act of 1996 to Provide In-Region,)
InterLATA Services in Michigan)

**AFFIDAVIT OF WARREN L. MICKENS
ON BEHALF OF AMERITECH MICHIGAN**

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, Warren L. Mickens, being first duly sworn upon oath, do hereby depose and state as follows:

1. My name is Warren L. Mickens. I am Vice President of Customer Operations at Ameritech Information Industry Services ("AIIS"), a division of Ameritech Services, Inc. AIIS is an Ameritech business unit that provides communications products and services to other telecommunications providers, including providers that compete with Ameritech Operating Companies in the local exchange market.

2. AIIS was formally organized on July 1, 1993, with the mission of offering network components that could be uniquely assembled to suit the needs of its customers, as part of the creation of a "network of networks." AIIS was conceived as a wholesaler of Ameritech's communications infrastructure and a major supplier to companies that would provide products and services in competition with the Ameritech Operating Companies. The

Ameritech customers. This priority is based on trouble severity, regardless of whether the customer is a reseller or an Ameritech retail customer. Resellers also have existing escalation procedures available to them.

C. Address Verification

54. Ameritech's customer contact personnel verify customer addresses through the Street Address Guide (SAG), a database that contains the addresses of all customer locations served by Ameritech. Ameritech service representatives access the SAG to verify that the customer's location is served by Ameritech and to ensure that the address is correct. The service representative also questions the customer until he or she is able to determine the customer's exact address. In rare instances where an address has not been entered into the SAG, the service representative contacts the Company's engineering department to validate the address and, once validated, to ask that it be entered in the SAG.

55. Ameritech provides each reseller with information in an electronic format, enabling its contact personnel to validate customer street addresses. Each reseller receives an electronic copy of information in the SAG database, which enables the reseller to load that

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information into its own database for purposes of validating a customer's address. A reseller may obtain an updated copy of the SAG on a weekly basis. If a reseller's end user customer has an address that is not in the SAG, the reseller may contact the Ameritech reseller Service Center and have the address validated with Ameritech's Engineering organization, using the same procedure used by Ameritech's customer contact personnel for Ameritech retail customers. Additionally, customer address information is validated a second time by the electronic ordering interface when a reseller issues an order.

D. Electronic Access To The Loop Assignment System

56. On an initial sales call, Ameritech's retail service representatives use information from its loop assignment system to determine whether it is necessary to dispatch a technician to the customer's premises, for purposes of determining a due date. Ameritech also provides an electronic interface that allows each reseller's contact personnel to establish a due date, based on whether a field visit is required, while the end user is on the line.

standard for local exchange resale billing.


69. Ameritech provides monthly billing data for unbundled network elements in the Carrier Access Billing System ("CABS") format, which has been used to bill for access services since 1984.

70. As provided in the AT&T Agreement, Ameritech will process requests to change an existing end user's local exchange service to a reseller on a "transfer-as-is" basis. Under this arrangement, when an Ameritech end user selects a reseller to provide local service, the reseller tells Ameritech the telephone number(s) on which the reseller will assume service responsibility. This is necessary to ensure that the change order is placed against the correct line number. A change of carrier can be made at that time, but the account cannot be changed in other respects, for example to add or cancel features, except as may be otherwise permitted by the AT&T Agreement.

J. Other Operational Processes And Functionalities

71. Directory Listing — As described in the AT&T Agreement (§ 15.2), in order to have its end user customers listed in Ameritech's directory, a reseller must provide subscriber listing information as specified by Ameritech and its directory publisher. There

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are a number of alternatives, both manual and electronic, that a reseller may utilize to provide updates (additions, deletions, changes, etc.) to its subscribers' listing information maintained in Ameritech's directory databases. Each directory has a directory "close date" after which changes, additions, and deletions cannot be made to listings. Listings not available by the close date are included in the next directory. I would also note that Ameritech has provided directory listings to customers of facilities-based carriers and other providers under contract for some time.

72. 911 Updates — Ameritech provides such updates through the resale service order process. Any updates to this information must be provided by the reseller to Ameritech via the resale ordering process.